

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2020-01
Bill No.: HB 829
Subject: Banks & Financial Institutions; Credit & Bankruptcy; Crimes & Punishment
Type: Original
Date: March 14, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	Less than (\$100,000)	Less than (\$100,000)	Less than (\$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	Less than (\$100,000)	Less than (\$100,000)	Less than (\$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Office of State Courts Administrator** and the **Office of Prosecution Services** assume the proposal will have no fiscal impact on the offices.

Officials with the **Office of the State Public Defender** assume the proposal would have a minimal impact that could be absorbed with existing resources. However, if additional similar legislation should pass, the cumulative effect of the bills enacted could require an additional appropriation request by the office.

Officials with the **Department of Corrections (DOC)** are unable to predict the number of new commitments which may result from the enhancement of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost either through incarceration (FY99 average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (FY99 average of \$2.47 per offender, per day). In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but the unknown impact is not estimated to exceed \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE FUND			
<u>Costs—DOC</u>	<u>Less than</u>	<u>Less than</u>	<u>Less than</u>
Incarceration/Probation	<u>(\$100,000)</u>	<u>(\$100,000)</u>	<u>(\$100,000)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2002 (10 Mo.)	 FY 2003	 FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill adds the crime of knowing use of a credit card or debit card without the owner's consent to the list of existing credit card fraud crimes. The bill raises the penalty for all credit card fraud crimes from a class A misdemeanor to a class D felony. It also raises the penalty to a class C felony in any case where the value of the illegally procured goods or services is \$10,000 or greater or for any second or subsequent offense of any dollar amount. The definition of "personally identifying information" used as an element of the crimes is changed to remove place of employment and mother's maiden name.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Office of State Courts Administrator
Office of Prosecution Services
Office of State Public Defender



Jeanne Jarrett, CPA
Director

March 14, 2001